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# ENVIRONMENTAL Fact Sheet

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## New Voluntary Non-Tidal Docking Structures Registration Process

Beginning June 15, 2021, a new **voluntary** registration process will be available to owners of docking structures. Registration provides a streamlined alternative to permitting for those who need to repair or replace existing non-tidal permanent docking structures or provide evidence of compliance with RSA 482-A when buying or selling properties with seasonal docking structures. This voluntary new process is only available to the owners of existing non-tidal docking structures and cannot be used for tidal structures or new construction.



### Do I Have to Register My Docking Structures?

No, registration is optional. However, registering your docking structures could save both time and money.

### What Are the Benefits of Registering Docking Structures?

From 1969 until now, any dock repair or replacement of a permanent dock which occurs in the water required a permit under RSA 482-A. The current method of obtaining a permit is by filing either a Permit by Notification (PBN), an Expedited (EXP) Minimum Impact Wetlands Permit Application, or a Standard Wetland Application with the New Hampshire Department of Environmental Services (NHDES). The fee to apply for a PBN, EXP or Standard permit is \$400. The primary benefit of the new Dock Registration process is that by registering your existing, non-tidal legal structures, those structures will be exempted from the requirement to obtain future repair or replacement permits from NHDES for the duration of the accepted registration, typically five years.

In addition, the new registration process is easier, simpler and less expensive (\$200) than the PBN, EXP or Standard wetlands permitting processes. NHDES has developed an online process to increase access and streamline the dock registration process, as well as the registration renewals. Once the owner of a docking structure has obtained a valid registration, repair or replacement of the structure can be accomplished any time before the registration expires.

Seasonal dock owners do not need a permit to repair a seasonal dock. Therefore, the benefits of a registration for seasonal docks may not be as obvious as for permanent docking structures. Pursuant to RSA 482-A:3, IV-a (e), all registered docks are considered to be in compliance with RSA 482-A. Often owners of seasonal docking structures have simply maintained the structures that were on the property when they purchased the lot but cannot provide documentation that the structures were legally constructed. This can create complications during the sale of the property or if a complaint is filed against the structure. Under the new dock registration process, registering a seasonal structure *only* requires information demonstrating the docking structure and configuration existed prior to January 1, 2000. This is much easier than providing evidence that the structures were in place prior to the original seasonal structure jurisdiction date of September 4, 1978. The burden of providing information going back **21** years is much less than **42** years!

### **What if I Choose Not to Register My Docking Structures? Registration vs. Permit: When Is Either Required?**

If you have seasonal docking structures that were installed and have been maintained in accordance with a permit, then not registering your structures will not affect the way you maintain your docking structures. If you have seasonal docking structures but do not know their history, not registering them will not affect the way you maintain your structures, but it may impact future property transactions. Anyone who owns permanent docking structures but chooses not to register them can simply continue to use any of the pre-existing options for obtaining the required repair permits. Please consult the [Permitting for Private, Non-Commercial Freshwater Docking Structures](#) fact sheet for more information on alternate permitting options.

### **Do my Docking Structures Qualify for a Registration?**

Only the owners of legally existing docking structures in non-tidal waters can qualify for the registration process. To qualify, the owner must submit a completed Non-Tidal Docking Structures Registration Form, registration fee and attachments. These attachments include photographs of all existing structures constructed or installed in the waterbody, and plans of the waterfront and structures to be repaired showing that the requirements of the registration process will be met. This includes evidence that the docking structures to be repaired have been constructed and maintained in compliance with a permit issued under RSA 482-A or its preceding statutes, or maintained in their current size, location and configuration since at least January 1, 2000. The following evidence is also necessary:

- Evidence that the structures were not constructed to make land in public waters.
- Evidence that the structures are not suitable for use as a dwelling if the structure or any part of the structure extends beyond the shoreline of any public water or publicly-owned water body.
- Evidence that the structures are not the subject of any municipal or state compliance action or pending civil action.

### **How Long Is a Registration Valid?**

Registrations are valid for five years, or until ownership of the property changes, whichever occurs first.

### **Sign Me Up! How do I Register my Dock?**

**Starting June 15, 2021**, a direct link to the registration form will be available by clicking on the button below.

**Dock Registration Form**  
(This link will only work correctly  
starting June 15, 2021)

### **Where Can I Get More Information?**

For more information, please visit the [NHDES Docking Structures Webpage](#) or contact the NHDES Wetlands Bureau at [\(603\) 271-2147](tel:603-271-2147).